

AOC Community Work Group Meeting Minutes  
May 15, 2001

The May meeting was called to order by Mark Richard at 7:10 at the Bayard community center.

Members in attendance were:

David Wilguess  
Sidney Cates  
Sally Smith  
CarolBeth Elliot  
Mark Richard  
Amalia Giebitz

Steve Solano  
Tom Caddel  
Harry Browne  
J. Paul Massey  
Carol Ketcherside  
Bob North

Members absent were:

Elon Yurwit (excused)  
Melanie Fuller  
Richard Choate  
Sharon Morgan

Jessie Franklin-Owens (excused)  
Maxine Nicholson  
Bonnie Massey

Others present:

Robert Quintanar CMC  
Phil Harrigan NMED  
Mark Lewis MFG, Inc.  
Mary Dowse WNMU

Pam Pinson CMC  
Chris Eustice NMED  
Kathy Tegmeyer MFG, Inc.  
Randy Glasscock Hurley

Additions to the agenda: None

Safety Share: Mary Dowse mentioned that judging from Roberts bright red color, he had obviously been in the sun. Robert mentioned that with summer coming up, everyone should be aware of the dangers of dehydration and be able to recognize the symptoms. One can be prepared by carrying extra water with them and by drinking more water than in normally required to satisfy you thirst. The symptoms of dehydration include dizziness and confusion. If you see someone with those symptoms, sit them in the shade, loosen their clothing and give them fluids.

Introductions and Comments: Attendees introduced themselves. Steve Solano said that residents living near the proposed Bayard Waste Treatment Plant, including himself, were concerned about dangers of the plant concerning its location and flooding. The Rural Utilities Service (RUS) division of the United States Department of Agriculture (USDA), the funding agency for this project, received a letter from Sen. Jeff Bingaman's office advising them to address resident concerns.

A public meeting will be held but no date has yet been set.

Approval of the minutes: The April minutes were approved with the following comments. Robert Quintanar commented that the evaluations mentioned in the April minutes for National Priority Listing (Superfund) included more of the mining district than just Chino Mines. The EPA initially only evaluated Chino, then expanded their evaluation to include the entire Central Mining District that includes the Bessemer Iron Mines, the Blackhawk lead-zinc mine and mill owned by Asarco, the Bullfrog lead-zinc

RECEIVED  
01 JUN 14 PM 3:02  
SUPERFUND DIV.  
DIRECTOR'S OFFICE



677148

mine and mill and the Bull Hill lead-zinc tailing, as well as the Cobre Continental Mine. He said that CMC proactively approached NMED about taking charge of their site and entered into the AOC agreement. Since then an AOC between the NMED and Asarco has been negotiated to address the Blackhawk site and MRRC has not yet agreed to an AOC for the Bullfrog and Bull Hill sites.

Solubility Study: The proposal for this study has not been submitted by CMC to NMED.

Vegetable Study Results: Phil Harrigan reported that Gradient, the human health risk assessment contractor for the NMED in the Hurley Investigation Unit had developed a model in the Risk Assessment process that showed that vegetables grown in Hurley soil might potentially pose a risk due to their uptake of arsenic. A study was done to determine the amount of arsenic present in vegetables grown in Hurley soil. The study is in the repositories and NMED is reviewing the study at this time.

Originally the soil in 10 gardens was sampled, however last year only 3 of those gardens remained active. Vegetables from the active gardens were sampled. Tomatoes, chilis, onions and Swiss chard were analyzed along with vegetables from Wal-Mart and Furr's as a reference. The arsenic concentrations in vegetables from Hurley gardens were similar to arsenic concentrations in vegetables bought at Wal Mart and Furr's. Swiss chard had the highest accumulation of the different vegetables. Leafy vegetables are known to accumulate metals more readily. Harry asked if the soil in the 3 gardens sampled contained high arsenic concentrations when originally sampled. Phil said "no". There is a wide variability of arsenic in southwest soils and the soil samples were in the range of potential background.

Arsenic levels did not follow the copper distribution pattern and will not likely be a driver for cleanup.

AOC Newsletter: The draft copy of the newsletter found in the April minutes was approved with some corrections and additions.

Under "Background", first sentence, ED changed "...to determine if historic mining activities have affected the environment..." to read "...to determine if historic mining activities have the potential to affect human health and/or the environment...".

In discussion, Steve said he has heard concerns that CMC might mine Hurley soils since the newspaper printed the newsletter comment that "The study found that some yards in Hurley contained as much copper as occurs in the ore in the Santa Rita pit." Robert said the 10,000 ppm copper found in some Hurley yards = 1% and that copper being mined is about 1/2%. We agreed to add, "in the top 1-4 inches " after "contained as much copper".

Harry suggested changes to the following sentence: "The Environment Department will decide what levels of copper should be removed and each property owner will decide if he or she wants to remove the copper." The change approved was to remove "what levels of copper should be removed " and replace it with "if this copper needs to be removed in order to protect human health."

There was a concern about whether readers would know what a tin can operation was. "Privately operated copper precipitation plants" and a broader description and diagram will be included if space permits.

CMC has not yet determined how to distribute the Newsletter.

Property Liability and Title Attachment: NMED has called a meeting of all levels of management to discuss this issue. Title attachment will be a policy decision, rather than a legal one, that is, there are no laws governing the subject. Some form of disclosure will be included in the Feasibility Study and Record of Decision. There may be a letter of completion of voluntary cleanup.

Clean Up Plan Models: Actual models for Hurley will be part of the feasibility study. Phil is contacting EPA for additional models from other communities. Phil said no yard cleaned would be left in worse shape than before the remediation. Robert said in yards where soil and sod has been brought in (using Maxines' as an example) CMC would consider those yards remediated.

Information to the Public: The group discussed how to educate and involve the public. Amalia suggested adding new methods to the newspaper and postal methods now used. She said the media may not always be the most effective way to engage people. She suggested that music, theatre and other methods that get people talking might work better. She will be taking suggestions from the CWG and researching other ideas. Contact Amalia with any ideas that you may have.

Sid suggested doing a demonstration project by cleaning one property. Local cable TV and other media might help publicize the work. Robert said that a demonstration might be "jumping the gun" because the solubility test and the final criteria level might show that no yards need to be cleaned. Harry asked if CMC had dropped its Interim Cleanup Proposal. Robert said with the prospect of the solubility testing, the Interim Cleanup Proposal CMC had suggested was premature.

There was a discussion about the NMED proposed RAC of 3,500-PPM copper, which was based on 100% bioaccessability for children. The RAC was based on an ingestion rate of 200 milligrams (0.2 grams, or about one fourth of a packet of Sweet and Low) of soil a day for children. Harry said some children are known to eat 2-7 grams (or 2,000 to 7,000 milligrams) of soil a day. Often these children are retarded but certainly deserve good health.

Robert said the Community Relations Plan for the AOC includes using newsletters, the media, the CWG, special presentations, special mailings, surveys and letters to the residents on sampling and results and fact sheets all as tools to educate the public.

Open House Schedule and Agenda: Sid said it was an open house that stimulated his interest. Steve suggested a picnic. Bob suggested he could make a demonstration of a home precipitation plant.

We agreed to have an Open House in August with the results of the solubility test and the beginning of the feasibility study to report on. Robert will provide maps and charts for the June and the August meetings. Amalia volunteered to coordinate proposals for the August Open House.

Our last open House was June 2000.

Election of New Members: No new members elected.

Agenda for the June 19<sup>th</sup>, 2001 Meeting: Next meeting to be held at the Bayard Community Center at 7PM

1. Introductions
2. Safety Share
3. Public Comments/Anything to add to the Agenda
4. Approval of the Minutes from the May Meeting
5. Presentation on copper mineralogy - Bob North
6. Presentation and Proposal of Copper Solubility – Robert Q.
7. Clean Up Model for Hurley Soils - Phil
8. Discuss Potential Property Owner Liability & Title Attachment Concerning Clean Up Plans. Are there any precedents? – Phil
9. Ongoing Discussion of Group Responsibility for Dissemination of Information to the Public including:
  10. Local News Coverage of CWG Meetings
  11. Discuss August 21 Open House
  12. Election of New Officers
  13. Election of New Members
  14. Set Agenda, Time & Place for Next Meeting

The meeting was adjourned at 8:50 p.m.